

**Berger & Montague, P.C.**

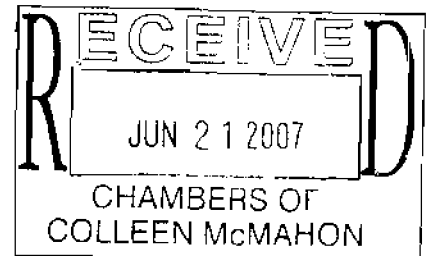
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June 20, 2007

**Via Facsimile**

Honorable Colleen McMahon  
United States District Judge  
United States Courthouse  
300 Quarropas Street, Room 533  
White Plains, NY 10601-4150



Re: In re: Veeco Instruments Inc., Securities Litigation  
Case No: 7:05-md-01695 (CM)(GAY)

Dear Judge McMahon:

**MEMO ENDORSED**

We represent Lead Plaintiff in the action referenced above and write to respectfully request, in the event that Defendants submit a motion *in limine* concerning Plaintiff's accounting expert, a one day extension for the filing of Plaintiffs' response to such motion.

On May 25, 2007, Defendants requested an extension for the filing of *Daubert* motions concerning the parties' accounting experts. By Order dated May 29, 2007, the Court granted Defendants' request and set this Friday, June 22, 2007, as the deadline for filing such motions and the following Monday, June 25, 2007 as the deadline for the filing of responses thereto. Under this schedule, Plaintiff anticipates receiving Defendants' motion late on Friday, leaving only the weekend and Monday to draft a response.

*Daubert* motions seeking to disqualify accounting experts are highly extraordinary, as accounting is not a species of junk science. Also, it would not appear that Defendants' motion could be addressed to the qualifications of Plaintiff's expert, who has held positions with the Financial Accounting Standards Board and taught accounting at the New York University School of Business, as well as having been a partner at a predecessor firm of Ernst & Young for many years. Therefore, Plaintiff expects that Defendants' *Daubert* motion will be based on novel theories which cannot be anticipated by Plaintiff, may well not have been made previously, and may, therefore, require more than the usual time required for response than a standard *Daubert* motion. Plaintiff believes that the current schedule does not provide adequate time for a response. Accordingly, Plaintiff respectfully requests the Court's permission to file its response to Defendants' *Daubert* motion on Tuesday June 26, 2007.

Respectfully submitted,

*Carole Broderick*  
Carole Broderick

cc: John A. Herfort, Esq./Robert F. Serio, Esq./J. Ross Wallin, Esq.

6/21/07  
*Granted*